HOUSE BILL No. 1105

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-11-14-6.

Synopsis: Hours of use of consumer fireworks. Provides that a person may not ignite, discharge, or use consumer fireworks before 5 p.m.

Effective: Upon passage.

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Frizzell

January 8, 2007, read first time and referred to Committee on Local Government.



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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in this style type. Also, the word NEW will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in this style type or this style type reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1105

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1	SECTION 1. IC 22-11-14-6, AS AMENDED BY P.L.187-2006,
2	SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	UPON PASSAGE]: Sec. 6. (a) A person who recklessly, knowingly, or
4	intentionally violates section 2(f), 4.5, 5(c), 5(d), 7, 8(a), 8(c), 8(d), 10,
5	or 11(c) of this chapter commits a Class A misdemeanor.
6	(b) A person who ignites, discharges, or uses consumer fireworks at

- (b) A person who ignites, discharges, or uses consumer fireworks at a site other than:
 - (1) a special discharge location;
 - (2) the property of the person; or
 - (3) the property of another who has given permission to use the consumer fireworks;

commits a Class C infraction. However, if a person recklessly, knowingly, or intentionally takes an action described in this subsection within five (5) years after the person previously took an action described in this subsection, whether or not there has been a judgment that the person committed an infraction in taking the previous action, the person commits a Class C misdemeanor.



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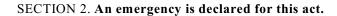
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2007

IN 1105—LS 6785/DI 96+

1	(c) A person less than eighteen (18) years of age who possesses or	
2	uses a firework when an adult is not present and responsible at the	
3	location of the possession or use commits a Class C infraction.	
4	However, if a person possesses or uses a firework when an adult is not	
5	present and responsible at the location of the possession or use within	
6	five (5) years after a previous possession or use by the person as	
7	described in this subsection, whether or not there has been a judgment	
8	that the person committed an infraction in the previous possession or	
9	use, the person commits a delinquent act under IC 31-37.	
10	(d) A person who ignites, discharges, or uses consumer fireworks:	
11	(1) after 11 p.m. except on a holiday (as defined in IC 1-1-9-1(a))	
12	or December 31, on which dates consumer fireworks may not be	
13	ignited, discharged, or used after midnight; or	
14	(2) before 9 a.m.; 5 p.m. on any day;	
15	commits a Class C infraction. However, if a person recklessly,	_
16	knowingly, or intentionally takes an action described in this subsection	
17	within five (5) years after the person previously took an action	
18	described in this subsection, whether or not there has been a judgment	
19	that the person committed an infraction in taking the previous action,	
20	the person commits a Class C misdemeanor.	
21	(e) A person who recklessly, knowingly, or intentionally uses	
22	consumer fireworks and the violation causes harm to the property of a	
23	person commits a Class A misdemeanor.	
24	(f) A person who recklessly, knowingly, or intentionally uses	
25	consumer fireworks and the violation results in serious bodily injury to	
26	a person commits a Class D felony.	
27	(g) A person who recklessly, knowingly, or intentionally uses	
28	consumer fireworks and the violation results in the death of a person	V
29	commits a Class C felony.	
30	(h) A person who knowingly or intentionally fails to collect or remit	
31	to the state the public safety fees due under section 12 of this chapter	



commits a Class D felony.

